

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515

February 13<sup>th</sup>, 2024

The Honorable Jason Smith  
Chairman  
Committee on Ways & Means  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Richard Neal  
Ranking Member  
Committee on Ways & Means  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Smith and Ranking Member Neal:

I represent thousands of police officers, firefighters, and emergency medical technicians who have committed their lives to serving our communities and worked tirelessly during the COVID-19 pandemic to keep families safe. They have paid into Social Security throughout their entire careers and deserve access to every benefit that they have earned. However, the Windfall Elimination Provision cuts Social Security benefits for these heroes by what could be hundreds of dollars each month, making it far harder to retire and make ends meet in states like New Jersey. As the Ways & Means Committee determines its legislative agenda for the remainder of the 118<sup>th</sup> Congress, I urge you to bring up legislation that would repeal this regressive provision for a Committee markup and vote as soon as possible.

Every day, firefighters, police officers, and EMTs across New Jersey risk their lives to protect our communities. Families throughout my state are incredibly grateful for their frontline service during the COVID-19 pandemic, and we have not forgotten their bravery and sacrifice in providing lifesaving care and getting crucial supplies and PPE to those in need. When these heroes begin to receive their well-deserved Social Security benefits, however, they quickly notice that they are receiving thousands of dollars less each year than they are entitled to. This is a result of the Windfall Elimination Provision and Government Pension Offset formulas within Social Security, which reduce benefits for almost 2 million workers and their dependent spouses nationwide, mostly state and local government employees such as first responders, by upwards of hundreds of dollars per month.

In response to these regressive and unjust provisions, a number of strongly bipartisan bills have been introduced in Congress to eliminate both rules and guarantee that first responders receive the full retirement benefits that they have earned. I am a proud co-sponsor of H.R. 82, the *Social Security Fairness Act*, for example, which currently has 308 co-sponsors in the House of Representatives - over two-thirds of the entire House. That includes 203 Democrats and 105 Republicans, making it one of the most bipartisan bills in Congress. While this legislation was introduced and referred to the Ways & Means Committee in January 2023, however, it has not yet been taken up by the Committee for a markup and vote. As a result, it continues to remain stalled and unable to be voted upon on the House Floor even though it would undoubtedly pass the House as a whole with widespread bipartisan support.

In December 2023, I convened a roundtable with firefighters, police officers, and other first responders from across my district whose members are greatly affected by the Windfall Elimination Provision. They told me how their retired members wanted to live in the communities that they had served, but were often unable to afford to stay in New Jersey because of the reduced Social Security benefits they received due to the Windfall Elimination Provision. I heard how police officers and firefighters who had taken second jobs to help make ends meet for their families and send their kids to college were now being hit with significant cuts to their retirement benefits, with many being unaware that they wouldn't be receiving their full benefits until the first Social Security check arrived. And I heard how retired police officers and firefighters in New Jersey who were already seeing Social Security's Cost of Living Adjustment not keep up with their rising costs now also have to deal with lower benefits than they had planned for. This is not an issue limited to a small subsection of our first responders – just among the New Jersey police and fire departments represented at this roundtable, thousands of their members had lost benefits as a result of these laws.

Given these significant negative impacts to our first responders, it is crucial that the Ways & Means Committee move quickly to bring the *Social Security Fairness Act*, or other legislation that would repeal the Windfall Elimination Provision and Government Pension Offset, to the House floor for a vote. Retirees across the country have already faced significant increases in their cost of living over the past three years that for many have not fully been incorporated by Social Security's Cost of Living Adjustment, and they desperately need the full retirement benefits that they have earned to maintain the decent standard of living that they so deserve. Given that fully 70% of sitting Members of Congress have signed onto this legislation as co-sponsors, it is long past time that the Committee recognize this overwhelming bipartisan support and advance this critical legislation.

I greatly appreciate the work of the Ways & Means Committee to protect the jobs and incomes of America's first responders throughout the COVID-19 pandemic. I now urge the Committee to do the same for our retired firefighters and police officers who need support. I look forward to staying engaged on this issue as the Committee develops its legislative agenda for the remainder of the 118<sup>th</sup> Congress.

Sincerely,



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**Mikie Sherrill**  
MEMBER OF CONGRESS